GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:5114
ANSWERED ON:11.05.2007
UNIFORM PENSION SCHEME FOR JUDICIAL OFFICERS
Channappa Shri Kunnur Manjunath;Reddy Shri K. Jayasurya Prakash

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether there is any proposal to introduce uniform pension scheme for judicial officers all over the country;

(b) if so, the details thereof; and

(c) the other steps taken/being taken by the Government for the welfare of judicial officers in the country?

Answer

MINISTER OF STATE IN THE MINISTRY OF LAW & JUSTICE(SHRI K.VENKATAPATHY)

(a) to (c) : In exercise of powers conferred under proviso to article 309 read with articles 233, 234 and 235 of the Constitution in so far as judicial officers in the judicial services of the various States are concerned, it is for the State Governments to consider and decide on various aspects of conditions of service, including that for pension. The Central Government is not concerned with the introduction of uniform pension scheme for judicial officers in the judicial services of the States all over the country, or for taking other steps for the welfare of such judicial officers. The Central Government is administratively responsible for formulating service conditions, including pension and welfare measures, of judicial officers of the Union Territories.

The Hon`ble Supreme Court, in its judgement of 21st March, 2002, in C.W.P. No. 1022/1989 - All India Judges` Association & Ors. Vs. Union of India & Ors, directed that the recommendations of the First National Judicial Pay Commission (FNJPC) in respect of Judicial Officers be implemented. The recommendations of FNJPC including pension and other related benefits were considered by the Central Government in so far as they relate to the judicial officers of the Union Territories for which the Central Government is administratively responsible. The Department of Justice has filed an LA. No. 103 in the aforesaid C.W.P. seeking modification / clarifications of the court on certain recommendations of the FNJPC including that for commutation of pension, a measure of welfare for the judicial officers of the Union Territories, to enable the Government for their implementation. The matter is still pending in the Supreme Court.